

Attachment A

Staff recommends retaining all eleven recommendations outlined in the 6.15.09 Staff Draft and summarized in Exhibit A-1.

Staff also recommends the Planning Board adopt the following two additional recommendations:

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| 12. Grandfathering of Completed Applications | Staff recommends grandfathering all completed applications designated as complete within the 12 month period preceding the moratorium. |
| 13. Trading APF capacity within a School Cluster | Staff recommends extending the trading concept to trading school APF approvals as well. |

Lastly, several follow up studies are proposed for inclusion in the 2009-2011 Growth Policy resolution:

For delivery to the Council on or before August 1, 2011:

- **F1 Biennial Growth Policy Report:** In accordance with County Code §33A-15, the Planning Board must submit its recommended Growth Policy to the County Council by August 1 of each odd-numbered year. Beginning in 2009, this biennial growth policy must include: an analysis of current and future pace and pattern of growth in the County and the factors affecting demand for public facilities in established communities; an update on the County's success in meeting a set of indicators as developed under F10 (of the 2007-2009 Growth Policy); an implementation status report for each master plan and sector plan, including a review of how planned development is proceeding and whether the public actions/facilities in the plan are occurring in a timely way; the contents of the biennial Highway Mobility Report; and a comprehensive list of priority facilities that are recommended for addition to the Capital Improvements Program. The report may also recommend other public actions needed to achieve master plan objectives or improve the County's performance on its adopted indicators. The Board must also include recommendations for changing policy area boundaries to be consistent with adopted master plans or sector plans or changes to municipal boundaries.
- **F2 Compact Subdivision Development** To further the development of sustainable communities, Planning staff will develop incentives for compact subdivision development through the Growth Policy, master plans, and zoning.
- **F3 Investigation into the Use of LEED:** Planning staff will study emerging changes to the LEED for Neighborhoods, and LEED for New Construction or Major Renovation classification systems to determine those which can further encourage smart growth and may form recommendations in the next Growth Policy.

Attachment A

- **F4 Investigation into the Use of Carbon Offsets:** Planning staff will look into the potential of carbon offsets for mitigating automobile trips. For example, a green roof reduces a building's carbon emissions by a specific factor that on an annual basis could be compared to vehicle emissions. In this way, green building features could be provided as a direct offset for the vehicle emissions generated by a development, rather than a mitigation solution of an intersection.
- **F5 Dedicated Transit Revenue:** County Executive agencies should report on the potential to create area specific funds, where the PAMR mitigation fees are paid to help finance transit improvements within that district to meet the needs created by redevelopment.
- **F6 Land Use Impact on VMT:** Planning staff should work with the County Executive to determine whether the impact of VMTs vary for specific land uses by their location. For example, does a fast food restaurant in a Metro Station Policy Area generate fewer VMT than the same use in a suburban location? How should that impact be weighted in the Growth Policy?
- **F7 Retail Impacts on VMT:** Planning staff should investigate the impact of chain retailers versus local retail on VMT and parking demand to determine how it affects vehicle generation rates. Consider the feasibility of setting impact fee and mitigation requirements at different rates for different types of retail. In combination with emerging zoning policy, such rates may encourage small business growth.
- **F8 Impact Tax Issues:** The County Executive should complete the study under recommendation F9 of the 2007-2009 Growth Policy. Emerging mixed-use zoning for pending master plans has raised the issue of linkage fees applied to non-residential uses for affordable housing. The County Executive should engage an economic consultant to determine the impact of such a linkage fees on the County office and retail market, to determine if the 2011-2013 Growth Policy should advance this concept.
- **F9. Fiscally Sustainable Development:** New development generates additional revenue on an annual basis from ad valorem taxes and taxes on revenue generated by building tenants. The County Executive should determine whether development impact taxes should be reduced if tax revenue generated by new development over the life-cycle of a project may exceed the cost of County services provided to that development.

Attachment A

| Exhibit A-1: Summary of Proposed Changes in 6.15.09 Draft | | | | | |
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| Category | Description | Current Process | Proposed Process | Motivation for Change | Appendix |
| Smart Growth Criteria: 1. Transit Proximity | Alternative Review Procedure for Policy Area Mobility Review (PAMR) | None | PAMR credits/exemption allowed for smart growth mixed-use projects near transit or basic services that exceed otherwise required energy efficiency and affordable housing criteria | Encourage mixed-use projects with proximity to transit and basic services to reduce vehicle trip generation rates. Promote affordable housing and Climate Protection Plan goals. | N |
| Smart Growth Criteria: 2. Urban Area Boundaries | Expansion of Alternative Review Procedures into urban areas | Alternative Review Procedures limited to Metro Station Policy Areas | Alternative Review Procedures allowed in all urban areas | Encourage mixed-use development and placemaking through realization of already planned density in areas that already have basic services and are designated for urban design treatments | N |
| APFO Transportation: 3. Balance Between Land Use and Transportation | Establish symmetry in transit and arterial LOS standards | Relative Arterial Mobility must be LOS D or better regardless of transit service | Relative Arterial Mobility of LOS E allowed in areas where Relative Transit Mobility is LOS B | Promote more efficient utilization of scarce transportation resources | M |
| APFO Transportation: 4. Non-Auto Facility Values | Expand the range of candidate non-auto facility types eligible for impact mitigation and set values at \$11,000 per vehicle trip | Candidate Non-auto facilities limited to twelve types of projects, each valued based on outdated cost information, and most types no longer accepted by County DOT | Non-auto facility types expanded to include additional projects, with all but sidewalk/bike path connectivity projects valued at \$11,000 per vehicle trip. | Encourage candidate project identification based on area needs rather than lowest cost. Improve predictability for applicants. Obtain projects appropriately valued at the cost of the trips being mitigated. | M |
| APFO Transportation 5. APF Transferability | Allow vested APF rights to be transferred into a Metro Station Policy Area from an adjacent Policy Area | APF rights not transferable | APF rights transferred with joint subdivision application between sending and receiving sites to apply unused/remaining APF capacity in suburban areas. | Encourage development approvals in urban areas. Applies/reduces pipeline of approved but unbuilt projects. | M |

Attachment A

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| APFO Transportation 6. Site-specific arterial mobility | Allow PAMR satisfaction in urban areas through evaluation of mobility on specific arterials. | PAMR mitigation requirements are areawide, regardless of location of site or congestion within policy area | PAMR mitigation requirements can be satisfied if applicant demonstrates specific arterials affected by application traffic meet mobility adequacy standards. | Provide an option to customize PAMR review to facilitate site-specific solutions in urban areas while addressing traffic spillover concerns of adjacent communities. | M |
| APFO Transportation: 7. TOD Trip Generation Rates | Expand the geographic application of residential trip generation rates | Customized trip generation rates provided by staff for only Bethesda, Silver Spring, and Friendship Heights CBDs | Lower residential trip generation rates based on TCRP Report 128 allowed for TOD applications in other urban areas. | Encourage residential development near all transit stations. | M |
| APFO Transportation: 8. White Flint APF approval process | Replace LATR and PAMR with implementation authority | LATR and PAMR applies | LATR and PAMR replaced by an implementation authority process as recommended in the Draft Sector Plan | Streamline funding and delivery of master plan transportation infrastructure. | M |
| Impact Tax Transportation: 9. Urban area residential transportation impact tax reduction | Reduce residential transportation impact taxes in urban areas | Transportation impact taxes set by three geographic areas (Metro Station Policy Areas, Clarksburg, and General) | Incorporate urban areas outside Metro Station Policy Areas as fourth geographic area with rates lower than General rates reflecting proximity to transit and general services in urban areas. | Encourage residential development near basic services. | M |
| APFO Schools: 10. School Facility Payment Threshold | Establish the threshold for the application of the school facility payment | The application of a school facility payment occurs when projected enrollment reaches 105% of projected program capacity at any school level by cluster | Set the threshold for application of a school facility payment at projected enrollment greater than 110% of projected program capacity at any school level by cluster | Several school clusters have a projected enrollment slightly over 105% of projected capacity, yet more significant deficits are required for CIP programming. | M |
| Other: 11. Policy Area boundary changes | Establishment of Life Sciences Center Policy Area, revision to White Flint, Germantown Town Center, and R&D Village Policy Area boundaries | Policy Area boundaries established per 2007-2009 Growth Policy | Changes to Policy Area boundaries as recommended in Draft Sector Plans. | Improve relationship between planned land uses, transit services, and Policy Area boundaries as recommended in Draft Sector Plans. | H |